HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.18846 OF 2005

DATED: 29.9.2005

Between:

G. Dharmaiah and others

… Petitioners

and

The Government of A.P., represented
by its Principal Secretary, Endowments
Department, Secretariat, Hyderabad,
and others.

… Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.18846 OF 2005

ORDER:

It is the conceded position in law, in particular in view of the judgment of a learned Single judge of this court dated 9.9.2005 in W.P.No.19107 of 2005 and batch, that the orders of the 1st respondent in G.O.Ms.No.1422, Revenue (Endowments.I) Department, dated 25.7.2005, are unsustainable in so far as the Item No.16 of the Annexure to the said G.O., regarding appointment of 18 persons, including the petitioners to the posts in 'Haritabhivruddi Pathakam', is concerned.

The petitioners were appointed as Watch and Ward staff in the 'Haritabhivruddi Pathakam', by the orders of the then Commissioner of Endowments-2nd respondent dated 11.4.2005. These orders were cancelled by the impugned orders. Admittedly, the cancellation was done without notice or opportunity to the petitioners and, therefore, the orders are void and unsustainable. This is what the judgment dated 9.9.2005 has held and that is what the law is.

Accordingly, the writ petition is allowed as prayed for. Nothing in this judgment shall, however, prevent the respondents from taking an appropriate decision, in accordance with the due process of law. No order as to costs.

GODA RAGHURAM, J

Date: 29.9.2005

CVM